

Amendments to the Drawing Figures:

The attached drawing sheets 1-5 include proposed changes to FIGs. 1-8 and replace the original sheets 1-6 including FIGs. 1-8.

Also attached are annotated sheets 1-5, indicating the changes to FIGs. 1-8 in underlined bold italics.

Attachment: Replacement Sheets and Annotated Sheets

REMARKS / DISCUSSION OF ISSUES

Claims 1-32 and 36-38 are pending in the application; claims 33-35 are canceled herein.

The specification is amended to correct typographical errors. No new matter is added.

The Office action objects to the drawings; replacement drawings are attached. No new matter is added. As requested in the Office action, annotated sheets are also attached, wherein the changes are indicated in bold underlined italics. The Examiner is respectfully requested to state whether the replacement drawings are acceptable.

The Office action rejects claims 1, 9, 17, and 29 under 35 U.S.C. 102(e) over Meggers et al. (USP 6,728,270, hereinafter Meggers). The applicants respectfully traverse this rejection.

Meggers fails to teach determining whether to transmit information portions to a receiver depending on whether the information portions can be transmitted by the transmitter in time to be made available to the receiver before the critical time associated with the information portion, as claimed in claim 1, upon which claims 2-26 depend. Claim 29, upon which claims 30-32 depend, includes similar limitations.

Meggers rejects sub-streams for transmission based on the available throughput in the transmission channel (Meggers FIG. 3, 100; column 11, lines 19-26, 39-45). After admitting a sub-stream for transmission, the required presentation time is used to prioritize the transmissions, with an optional adaptation of the payload data to achieve the required presentation time (Meggers FIG. 5, 220-240; column 12, line 37 - column 13, line 40). Meggers does not teach rejecting any of the sub-streams based on the required presentation time. Once sufficient throughput is determined for admitting a sub-stream for transmission, the entirety of the sub-stream is transmitted, using a priority ordering and optional adaptation based on the required presentation time.

Because Meggers does not teach determining whether to transmit information portions to a receiver depending on whether the information portions can be transmitted by the transmitter in time to be made available to the receiver before the critical time associated with the information portion, the applicants respectfully request the Examiner's reconsideration of the rejection of claims 1, 9, 17, and 29 under 35 U.S.C. 102(e) over Meggers.

The Office action rejects:

claims 2, 5, and 24 under 35 U.S.C. 103(a) over Meggers and Cash et al. (USP 5,481,312, hereinafter Cash);

claims 18 and 21-22 under 35 U.S.C. 103(a) over Meggers and Fukushima et al. (USP 6,918,077, hereinafter Fukushima);

claims 2-4, 6-8, 10, 12-17, and 19-26 under 35 U.S.C. 103(a) over Meggers, Delp et al. (USP 6,028,843, hereinafter Delp), and Walpole et al. (USP 2003/0236904, hereinafter Walpole); and

claims 30-32 under 35 U.S.C. 103(a) over Meggers and Walpole. The applicants respectfully traverse these rejections.

Each of these claims are dependent upon claims 1 or 29, and in these rejections, the Office action relies on Meggers for teaching the elements of claims 1 and 29. As discussed above, Meggers fails to teach the elements of claims 1 and 29. Accordingly, the applicants respectfully request the Examiner's reconsideration of the rejection of these claims.

The Office action rejects claim 27 under 35 U.S.C. 102(e) over Walpole. The applicants respectfully traverse this rejection.

Walpole fails to teach determining whether to transmit portions of the multiple media streams depending on network conditions, a time that each stream is required to be received, and a tolerance related to the time based on the priorities of the streams, as claimed in claim 27. Accordingly, the applicants respectfully request the Examiner's reconsideration of the rejection of claim 27 under 35 U.S.C. 102(e) over Walpole.

The Office action rejects claim 28 under 35 U.S.C. 103(a) over Walpole and Chen et al. (USP 6,658,019, hereinafter Chen). The applicants respectfully traverse this rejection.

Claim 28 is dependent upon claim 27, and in this rejection, the Office action relies on Walpole for teaching the elements of claim 27. As discussed above, Walpole fails to teach the elements of claim 27. Accordingly, the applicants respectfully request the Examiner's reconsideration of this rejection.

The Office action fails to identify the status of claim 11, which is dependent upon claim 1. If the above remarks are not persuasive to secure the allowance of all claims, the applicants respectfully request the issuance of a second non-final Office action that addresses all claims, including claim 11, so that the applicants are provided an opportunity to either amend this claim or present arguments for its allowance.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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